

REMARKS/ARGUMENTS

Claim 2 is pending in the present application. None of the claims have been amended in this response. The specification and drawings were amended to correct informalities. No new matter has been introduced as a result of these amendments.

FIG. 9 of the drawings was objected to for failing to have the designation "prior art." In light of the current amendments, the designation has been added to the drawing figure. FIG. 10 was also amended to properly reflect the early and late fingers illustrated on the right-hand-side of the figure. Also, FIG. 6 objected to for failing to disclose the feature of advancing the late finger by one position and the early finger being delayed by one sample position. Applicants address this objection with regard to the Specification, discussed below.

The specification was objected to for informalities. The amendments regarding page 17, line 15 was previously submitted erroneously as page 16, line 15. The present amendment to page 17 correctly reflects the text contained in the specification. Furthermore, the specification was objected to in connection with FIG. 6 for failing to disclose the feature of advancing the late finger by one position and the early finger being delayed by one sample position. Applicants submit that the original text was correct, and the present amendments reflect the early finger being advanced by one position with respect to the main finger, and that the late finger is delayed by one sample position with respect to the main finger, as is currently illustrated in FIG. 6. Accordingly, this portion of the specification was amended back to its original text. Applicants respectfully submit the objections regarding the drawings and specification have been addressed. Withdrawal of the objections is earnestly requested.

Claim 2 was rejected under 35 U.S.C. §102(e) as being anticipated by *Giallorenzi et al.* (US Patent 6,332,008). Applicants respectfully traverse this rejection. Favorable reconsideration is respectfully requested.

Specifically, *Giallorenzi* does not teach or suggest access memory from which data are read and further processed in an early finger and late finger as recited in claim 2. As indicated in FIG. 2 of *Giallorenz*, the RAKE receiver is working as a free running system (col. 6, lines 51-56), where any signals arriving at the RF front-end are converted from analog to digital at the converter 32 (col. 6, lines 48-51). The digital data is then passed over to the three despreader, the on-time despreader 42, the early despreader 44 and the late despreader 46, without being

delayed (i.e., passing one read cycle later) in any form. The only processing unit between the converter and the despreaders is a phase shifter DPS40 naturally not storing any incoming signal but only amending its phase.

The Office Action interpreted MEM 12f as equivalent to the access memory recited in claim 2. However, this is incorrect. According to col. 5, lines 57 to 61 of *Giallorenzi*, the memory only has the function of storing system parameters and other information, such as SU timing phase information and power estimate values provided to the RBU controller. It is evident from the disclosure that the MEM element merely provides the parameters incident to the data values (col. 5, lines 45-57), and has no capacity to store the actual data values themselves (e.g., speech signals).

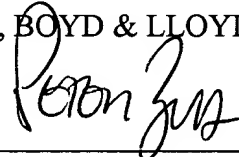
Furthermore, col. 7, lines 12-15 does not disclose "passing on the data one read cycle later to a early finger for reading by the late finger in the early-late tracking," but instead discloses a conventional configuration for providing an early PN code to a sampled signal for passing to an early de-spreader, and a late PN code for passing to a later de-spreader. Each of the early/on-time/late designations are forwarded to their respective de-spreaders, without passing on the data one read cycle later to a early finger for reading by the late finger (col. 7, lines 13-27).

In light of the above arguments, Applicants submit that the above rejections are improper and should be withdrawn. Accordingly, claim 2 is allowable. Applicants respectfully submit that the patent application is in condition for allowance and request a Notice of Allowance be issued. The Commissioner is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of this Response. Please reference docket number 112740-198.

Respectfully submitted,

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Amendments to the Drawings:

The attached sheet of drawings include changes to FIGs. 9 and 10. This sheet, which includes FIGs. 9-10, replaces the original sheet including sheets 9-10.